[Insert role of the ballot]

My argument is that a popular consensus framework can never declare anything to be intrinsically bad, even slavery or oppression since if the people believe it is good, it is good. This makes debate unsafe since any action is potentially permissible. Debaters who have experienced the harms of things like racism cannot meaningfully operate underneath the assumptions of your framework, structurally excluding them from the round, making debate unsafe. **WONG[[1]](#footnote-1):** We can obviously point to cases where listening to the majority would be a good thing, yet at some level, we also know that **going along with the will of the masses** and aligning our actions with majority interests can be highly problematic. In fact, in extreme cases, it **can be down right dangerous**. This is why we caution against participating in “group think” and “mob mentalities.” **Think of Nazi Germany. Think of witch hunts. Think of** the majority that, at one point in our history, favored **African slavery, or the White majority that created and fought for Jim Crow laws**, or the people who believed that homosexuality is a disease, or **the men who didn’t think that women are rational enough to vote**, or hold political office, or deserve equal pay. Actually, think of any time in history when a revolution was necessary for the realization of greater justice (and think of current political situations for that matter). In those instances, to preserve our own dignity and cling to any shred of self-respect, we should hope that we would not have been part of the majority. Rather, we would hope to be “on the right side of history.” So why don’t we question our faith in democratic rule and the notion of a moral majority? (Uh…I’m using ‘moral majority’ to talk about the power of the majority to influence legislation on moral issues, which is not to be conflated with the [right-wing Christian group](http://en.wikipedia.org/wiki/Moral_Majority). Although…well, sure.) As a few others throughout history have been keen to point out before, thefundamental characteristic of **democracy that hinges on majority rule also leaves it susceptible to tyranny**, namely, the “tyranny of the majority.” Apparently, at about the same time that he and his buds were writing up the Constitution of the United States, [John Adams](http://en.wikipedia.org/wiki/Tyranny_of_the_majority) noted that majority rule could, in fact, put vulnerable groups at a great disadvantage. So, the likelihood that *the majority can actually be in the wrong* was not missed by the very people who established American democracy! They didn’t overlook this possibility only to have it unexpectedly rear its unfortunate and ugly head somewhere down the road when we “lost sight” of the wonders of democracy. *Opportunities for injustice, inequality, and oppression are built right into the heart of democracy*, brushing shoulders with life, liberty, and the pursuit of happiness. Sometimes **exercising these inalienable rights come so close to injustice itself that it’s hard to tell them apart. And the forefathers of our democracy apparently knew this.** So, I’ll ask it again, since when has the majority ever been a reliable source of determining what is valuable, right, and good?

You have said this will never happen:

a) renders oppression invisible by saying polls would never be bad, which is a proactive attempt to sweep under the rug the way they have misapropriated and shows ignorance.

b) not an answer - your ethic should be able to condemn the holocaust even though it is unlikely such a large genocide might happen again. That doesn’t make genocide possibly OK suddenly a permissible thing to say.

I contend that international law makes the round unsafe – the alt is to vote negative to suspend faith in the neutrality of international law and speak out against oppression.

**First,** your framework does not actually direct action but simply says a variable standard should be met. Descriptive standards never require a particular action, and you refuse to say that there is some external code that justifies legitimate or illegitimate international laws. That means if international law changed to justify or demand racism, sexism, or genocide, we would have a moral obligation to accept those repugnant conclusions. This idea excludes people who have experienced material oppression – they cannot operate under the assumption that these things are anything other than intrinsically bad.

**Second**, preempts your “it will never happen” arguments. International law still reeks, for example, of colonialist oppression. **BRAHM[[2]](#footnote-2):** Although much of this discussion has portrayed international law as a potential means of conflict management or resolution, it should be remembered that law is itself a source of significant conflict. **The shape and content of law often favors particular groups** or countries. Not only is international law often most influential when it favors the strongest, but the powerful are also typically the source of law. For example, **because much of international law is formed by the U.N., the Security Council has a disproportionate influence** in shaping it. One prominent example of might makes right in international law is in the realm of laws related to trade and investment. Enforcement comes largely through power, which means that **the developed world often controls the agenda. They have the market power to punish and entice smaller states** to comply. The creation of the World Trade Organization (WTO) in 1995 marked a dramatic advancement in the development of trade law and enforcement mechanisms over what existed under the General Agreement on Tariffs and Trade (GATT). The WTO has been widely criticized for "green room"[8] **agenda-setting by the global North**, and other actions that put the South at a disadvantage.[9] **New laws also create significant administrative burden for poor states**, which is perhaps not bad for the long run, but makes for costly compliance.[10] At base, though, law is only as effective as the [means of enforcement](http://www.beyondintractability.org/essay/enforcement-mechanisms) and **developing countries lack the power** to retaliate effectively. **Trade law is branching out** into new areas as well, which will **potentially put the South at an even greater disadvantage**. Efforts are in various stages to link trade law to a range of issues from intellectual property regulations (TRIPs) to the environment to labor standards. **TRIPs appear to favor Northern multinational corporations**, while not protecting indigenous knowledge.[11] It also promises to make the cost of drugs to fight deadly illnesses such as AIDS a severe burden for poor countries. In terms of environmental law, it is often seen by the South as cutting off the path to development that the North took long ago, leaving the South in permanent dependency. At the same time, the WTO's Dispute Settlement Understanding does take many steps to help developing countries operate on equal footing, compared to the GATT.[12] Each case must have a representative from the South as one of the three hearing the case. Voting is more explicit than under the GATT. Provisions have also been made to provide expertise to delegations from **the South**, but they a**re still left unable to shape the agenda**. In sum, the WTO Dispute Settlement System does provide better opportunity for developing countries to bring complaints, but they often lack the technical expertise to take advantage of it. International law has also been criticized as fundamentally Western. Certainly, **most international law is based on Western notions**. One sign of this might be that the Western Countries are **more compliant** with the **international laws on human rights**.[13] Others argue, however, that the widespread acceptance of international law is evidence that the principles on which it is based are not strictly Western. Still, it is not clear that many developing countries are entirely free to accede to these rules, as the WTO example above suggests. Western countries are able to provide incentives for less powerful countries to accede to their wishes. Either way, however, it means that international law has at least some force behind it, though not nearly as much as domestic legal systems.

International law is still colonialist – the aff fails to acknowledge the that law is not objective or constitutive, but pervaded by western epistemology. **GARDENER[[3]](#footnote-3): The [UDHR and ICCPR]**  Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, **are** often criticised as being **based too heavily on the West**’s importance of liberalism and individualism.  **Accepting such rights as  intrinsic norms**, rather than western social constructions **is to risk undermining alternatives**.  For states to commit to one  single declaration of international law would “require sacrificing diverse cultures and their unique way of viewing the world Commitment to a single declaration of **international law** would mean the loss of culture, and from some perspectives, it would mean commitment to a law that **“has supported imperialism, militarism, male supremacy, racism, and other pathologies of human history”** Within O’Connell’s view is the argument that international law has allowed, and at times **required, the subjugation of people and suppression of distinct cultures** in a similar way that colonialism did at a time of imperialistic expansion.  As a result, international law is not universal, is not based on a given natural law, and is subject to the manipulation and interpretation of powerful states, consequently“international law perpetuates current power structures”[[12]](http://www.e-ir.info/2010/06/08/the-colonial-nature-of-international-law/#_ftn12). Concrete rules of international law are derived from what states actually do, and what precedents they set, rather than what the ‘law of nature’ suggests they ought to do.  Morgenthau argues that “the great majority of the rules of international law are generally observed …. (because) it is in the interests of the state to oblige.”[[13]](http://www.e-ir.info/2010/06/08/the-colonial-nature-of-international-law/#_ftn13) Where national self-interest demands action contrary to international law, the only obligation on states is to act in their own self-interest.  Such a realist argument suggests that if states are economically rational they will only comply with international law if the cost, such as war, economic sanctions or trade embargoes outweigh the benefits of such a move.  However, such **enforcement methods allow the perpetuation of power** to manifest itself **in selective enforcement** and shows that the cost of contravening international law to the most powerful is too small to force compliance as it they themselves who created such laws.  Equally, imposing sanctions on ‘criminal countries’ may be to the detriment of the ‘policing’ body.  An interesting example is the comparison between the differing enforcement policies adopted by the international community against China and Uzbekistan.  Recently, **there has been much media attention about** numerous counts of **Human Rights abuses in** **China,** as well as their emotive treatment of Tibet: **yet, no trade sanctions, punishments** or international court appearances have resulted.  This is **unlike in Uzbekistan, where after a “bloody crackdown”**[**[14]**](http://www.e-ir.info/2010/06/08/the-colonial-nature-of-international-law/#_ftn14) in 2007, **heavy economic, diplomatic and** **arms sanctions were imposed** on the central Asian state with a low GDP[[15]](http://www.e-ir.info/2010/06/08/the-colonial-nature-of-international-law/#_ftn15), compared to a powerful emerging super-power.  It could be argued that **western powers** and international organisations, **did not impose sanctions on China, due to the** large amount of exports from and the **economic importance of China**, in the international system, while a weaker state such as Uzbekistan is forced to abide by international law due to it’s less powerful position in the international system.

You render the colonizer invisible to hide its violent exploitation – this is representational in your speech act and implicit in the ideals you endorse. **HAYES[[4]](#footnote-4):** Fanon points out that in the colonial situation the primary thrust of the Master in relation to the Slave is not for the sake of recognition but for work. **The colonized are dehumanized**, their humanity effaced, not simply for the sake of the colonizer's ego satisfaction but for the purpose of the colonized's exploitation (Pn 179 / BS 220). What **colonialism seeks to hide from view**, to render invisible about itself, is the grounding fact of its possibility: that colonialism is predicated only on force and fraud. Hobbes, Locke, and Rousseau all exemplify their states of nature in terms of non-European states of being. The fact that force and fraud are the only virtues necessary in the Hobbesian state of nature (the state of "warre') reveals rather that a readier representation of the contractualists' "natural state" is not "the savage peoples of the Americas" and the like (Hobbes: ch. 13) but the colonial condition imposed by Europeans (geographically or racially) upon those deemed non-European. **Colonialism is operationalized at both the material and the representational levels. Materially colonialism seeks to strengthen domination for the sake of human and economic exploitation. Representationally, it seeks to sustain the identity of** the **ideological or discursive image** it has created of the colonized and of **the depreciated image the colonized have of themselves**. Colonialism thus undertakes at the latter level to extend and maintain a veiling, to affect a strategic invisibility on the pan of the colonized: to maintain invisibility socially and politically so as to minimize the costs of economic reproduction. and labor enforcement. Through normalization, colonialism is able to hide from view its constitutive forms of domination and exploitation. By making the relations and practices of dominance seem standard, normal, and given, **colonialism creates as "acceptable" its central social expressions of degradation and dehumanization, rendering unseen the fact that it makes people what they are not.** Colonialism is quite literally untruth, an untruth which to sustain itself must be hidden from view. Fanon speaks of this as "the lie of the colonial situation" (Sr 115 / ADC 128), **a lie that infects the colonized** who to survive find that they are "hardly ever truthful before the colonizer" (114 /127). Thus, like modernity more generally, **colonialism is a condition** of extreme ambivalence, **imposing a structure, an order of things**, it inevitably is incapable of sustaining. Drawn to an order, a scheme of classification, it at once cannot sustain because it is both mis- and unrepresentative of a people the very being of whom it negates, the colonial condition faces its impending disorder with differentiation and division, separation and subordination, manipulation and mystification - in short, with fraud and force (sec ch. 4 of Black Skin; see also Bauman). It is in this sense that Fanon sees himself as engaged analytically, critically, in a form of unveiling.

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a) renders the colonizer invisible by saying I law would never be bad, which is a proactive attempt to sweep under the rug the way the law has been misused.

b) not an answer - your ethic should be able to condemn the holocaust even though it is unlikely such a large genocide might happen again. That doesn’t make genocide OK suddenly a permissible thing to say.

We must create a learning environment that challenges oppressive ideologies; this is key to our mental liberation. **DEI[[5]](#footnote-5):** The anti-colonial classroom must always be a de-colonizing space. This is both aphysical and intellectual imperative, affecting both the set up and use of space, as well as the delivery of the instructor's program. The teacher, as well as the students, should address the meanings of knowledge and learning. **Within anti-colonial education, the teacher is responsible for presenting knowledge as counters to hegemonic power** The first step in doing so lies within the exchange of knowledge, i.e. the learning process. The teacher/facilitator must not be understood (by herself/himself or by the students) as "in charge" of the knowledge. While she/he may be the custodian of certain knowledges, this by no means translates into ownership thereof. Working with bell hooks' (1994) understanding of **decolonization as a process wherein we depart from our customary paradigms**, and **reject the ways in which our reality and experience have been shaped by hegemonic cultural discourse we can arrive at a critical learning moment** The most dangerous of all delusions is to think that your social reality is the only reality worth talking about. To do so is to engage in **a colonizing mental exercise, characterized by profound intellectual arrogance.** **This is the problem with the Eurocentric epistemology that characterizes so much dominant curricula.** **The subversion** thereof **is thus an act of mental liberation.** To truly embrace and work with a multicentric framework requires axiological, ontological and epistemological de-centering. **We must return here to the notion and necessity of humility** in the teaching and learning processes.

1. Cori, Philosophical Consultant, Blogger, Lecturer: “Democracy and the Moral Majority: Why Third Graders Know Better” Coriwong.com, June 15. [↑](#footnote-ref-1)
2. Beyond Intractability. Ed. Guy Burgess and Heidi Burgess. Conflict Research Consortium, University of Colorado, Boulder, Colorado, USA. International Law. Eric Brahm, 2003. [↑](#footnote-ref-2)
3. Gardner 10 David, Graduate student at San Diego State University, “The Colonial Nature of International Law”, E-International Relations Students, 6/8/2014, <http://www.e-ir.info/2010/06/08/the-colonial-nature-of-international-law/>, 7/28/2014 [↑](#footnote-ref-3)
4. Floyd W. Hayes III Fanon: a critical reader. Ed. Lewis Ricardo Gordon, T. Denean Sharpley-Whiting. “Fanon, Oppression and Resentment: The Black Experience In the United States.” 1996. [↑](#footnote-ref-4)
5. Anti-Colonialism and Education 2006 [↑](#footnote-ref-5)